

Listing Number :476-13-01  
Salary: \$25.24 to \$33.65/hour

Opening Date: 09/20/12  
Closing Date: Until filled  
(Agency Use): \_\_\_\_\_

STATE AGENCY  
JOB VACANCY NOTICE

POSITION TITLE: Litigation Attorney CLASSIFICATION #: Group B23/3503  
AGENCY: Texas Racing Commission ADDRESS: 8505 Cross Park Drive #110, Austin, TX 78754

WORK LOCATION ADDRESS: 8505 Cross Park Drive #110, Austin, TX 78754

REFER TO: Mark Fenner By Appointment: Yes X No \_\_\_ TELEPHONE: 512 833-6699

NUMBER OF OPENINGS: 1 DURATION: Regular X Seasonal/Summer Job \_\_\_  
Temporary \_\_\_ Will terminate on \_\_\_

MERIT SYSTEM: YES \_\_\_ NO X Part Time X Hours/Week 20

TYPING: YES X NO \_\_\_ W.P.M. 40 No more than 3 errors SHORTHAND: YES \_\_\_ NO X W.P.M. \_\_\_

TEXAS DRIVER'S LICENSE: YES X NO \_\_\_ Operator X Commercial \_\_\_ Chauffeur \_\_\_

TRAVEL REQUIRED: YES X NO \_\_\_ SHIFTS: 1<sup>ST</sup> \_\_\_ 2<sup>ND</sup> \_\_\_ 3<sup>RD</sup> \_\_\_ ROTATING \_\_\_

POSTING APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

Executive Secretary

GENERAL DESCRIPTION:

The attorney performs responsible, advanced attorney work enforcing the Texas Racing Act and the agency's rules. Work involves reviewing investigative reports and making decisions about case resolutions; preparing and supervising the preparation of legal documents; and prosecuting violators in administrative proceedings before an administrative law judge; negotiating settlements. Work is performed under general supervision of the general counsel with latitude for the use of initiative and independent judgment. The attorney will perform other duties as assigned and as required to maintain agency operations.

Hours: 20 hours per week. Job may require in state travel.

Examples of Work Performed

- Reviews investigative reports and makes recommendations as to the manner in which cases will be resolved. Brings cases to final resolution as expeditiously as possible.
- Researches and interprets statutes, rules, regulations, codes and administrative records. Analyzes their applicability and significance in specific fact situations presented in enforcement actions.
- Advises investigators regarding evidentiary analysis and avenues of investigation to be pursued, and provides guidance to enforcement staff regarding statutes, rules, and enforcement policies.
- Negotiates settlements of enforcement cases.
- Represents the agency in the formal prosecution of enforcement cases in administrative hearings before the State Office of Administrative Hearings (SOAH). Presents the testimony of witnesses and documentary evidence in accordance with the Texas Rules of Evidence, and makes legally-sound oral arguments.
- Prepares notices of alleged violation, notices of hearing, letters of proposed license denial, suspension, revocation, or nonrenewal, motions, legal briefs, case closing letters, agreed orders, and other appropriate legal documents and correspondence related to enforcement cases.
- Prepares exceptions to Proposals for Decision as needed, and presents oral argument on contested cases to the Commission.

- Reviews drafts of laws, rules, policies and regulations affecting agency operations.
- Keeps management appropriately informed of ongoing activity and critical matters affecting the operation and well-being of the agency.
- Assists with special projects and performs other duties as assigned.

Education, Qualifications, and Experience

Minimum education requires graduation from an accredited law school. Minimum qualifications require licensure in Texas as an attorney. Minimum experience includes two years of continuous full time practice. Additional weight will be given to applicants for the following factors:

- Significant experience in practice before the State Office of Administrative Hearings;
- Significant experience as a hearing officer, administrative law judge, or litigator;
- Significant experience as an attorney in Texas state employment.

KNOWLEDGE, SKILLS AND ABILITIES:

Knowledge of the Administrative Procedures Act, the Texas Rules of Evidence and Civil Procedure, the Public Information Act, and the Open Meetings Act.

Ability to understand and effectively communicate with persons of various educational and skill levels both orally and in writing.

Ability to write conduct hearings and write decisions that are legally and grammatically correct, with minimal administrative and clerical support.

Ability to use of automated equipment and the use of word processing and personal computers.

Ability to manage multiple tasks and meet deadlines.

DISCLOSURE:

All Commission employees must undergo a criminal history background check. The Texas Racing Act contains additional provisions that set out causes for rejection of employment. (Will be provided upon request.)

HOW TO APPLY:

Submit a State of Texas Application for Employment referencing the above position number and title to: Texas Racing Commission, Attention: Mark Fenner P. O. Box 12080, Austin, TX 78711-2080. You may request an application from the

Commission office at 8505 Cross Park Drive, Suite 110, Austin, TX 78754, phone (512) 833-6699, fax (512) 833-6907 or visit our web site at <http://www.txrc.state.tx.us>. Resumes may be submitted in addition to, but not in lieu of, the employment application.

TEXAS WORKFORCE COMMISSION

Date posted on site:\_\_\_\_\_